



Reprinted  
February 13, 2001

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## HOUSE BILL No. 1590

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DIGEST OF HB 1590 (Updated February 12, 2001 4:00 PM - DI 51)

**Citations Affected:** IC 6-9.

**Synopsis:** Madison County food and beverage tax. Removes the limitation on the use of the county food and beverage tax revenues for economic development projects in Anderson. Changes the distribution of tax revenues.

**Effective:** July 1, 2001.

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### Mellinger

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January 17, 2001, read first time and referred to Committee on Local Government.  
January 31, 2001, amended, reported — Do Pass.  
February 12, 2001, read second time, amended, ordered engrossed.

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HB 1590—LS 7231/DI 103+



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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1590

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A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 6-9-26-12.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12.5. (a) This section  
3 applies if there are no outstanding obligations for which a pledge has  
4 been made under section 15(a) of this chapter concerning uses  
5 authorized under section 12 of this chapter.  
6 (b) Money deposited in the county economic development project  
7 fund before March 1, 1992, shall be transferred to the following:  
8 (1) Fifty percent (50%) of the money deposited shall be  
9 transferred to the fiscal officer of a city having a population of  
10 more than fifty-eight thousand (58,000), but less than sixty  
11 thousand (60,000).  
12 (2) Fifty percent (50%) of the money deposited shall be  
13 transferred to the county general fund. Money transferred under  
14 this subdivision shall be used for:  
15 (A) economic development projects in locations other than a  
16 city described in subdivision (1); or  
17 (B) the following purposes:

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(i) The financing, construction, or equipping of a secure detention facility under IC 31-31-8 or IC 31-6-9-5 (repealed).

(ii) All reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, and supervisory expenses related to the financing, construction, or equipping of a facility described in item (i).

(iii) The retiring of any bonds issued, loans obtained, or lease payments incurred under IC 36-1-10 to finance, construct, or equip a facility described in item (i).

(c) Except as provided in subsection (d), money deposited in the county economic development project fund after February 29, 1992, shall be transferred to the following:

(1) Forty percent (40%) of the money deposited shall be transferred to the fiscal officer of a city described in subsection (b)(1).

(2) Forty percent (40%) of the money deposited shall be transferred to the county general fund. Money transferred under this subdivision shall be used for the following purposes:

(A) The financing, construction, or equipping of a secure detention facility under IC 31-31-8 or IC 31-6-9-5 (repealed).

(B) All reasonable and necessary architectural, engineering, legal, financing, accounting, advertising, and supervisory expenses related to the financing, construction, or equipping of a facility described in clause (A).

(C) The retiring of any bonds issued, loans obtained, or lease payments incurred under IC 36-1-10 to finance, construct, or equip a facility described in clause (A).

(3) Twenty percent (20%) of the money deposited shall be transferred to the county general fund. Money transferred under this subdivision shall be used for economic development projects **in locations other than proposed by a political subdivision with jurisdiction in whole or in part outside** a city described in subsection (b)(1).

(d) After the retiring of any bonds issued, loans obtained, or lease payments incurred under IC 36-1-10 to finance, construct, or equip a secure detention facility under subsection (c)(2), money deposited in the county economic development project fund after February 29, 1992, shall be transferred to the following:

(1) Seventy percent (70%) of the money deposited shall be transferred to the fiscal officer of a city described in subsection (b)(1).

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1 (2) ~~Thirty percent (30%)~~ **Twenty percent (20%)** of the money  
2 deposited shall be transferred to the county general fund. ~~Money~~  
3 ~~transferred under this subdivision shall fund to~~ be used for  
4 economic development projects in ~~locations other than~~ **proposed**  
5 **by a political subdivision with jurisdiction in whole or in part**  
6 **outside** a city described in subsection (b)(1).

7 **(3) Ten percent (10%) of the money deposited shall be**  
8 **transferred to the county general fund to be used for projects**  
9 **recommended by the county executive.**

10 (e) Money transferred to a city fiscal officer under subsection (b)(1),  
11 (c)(1), or (d)(1) shall be credited to a special account to be known as  
12 the city economic development account. Money credited to the account  
13 shall be used only for those purposes described in IC 6-3.5-7 (the  
14 county economic development income tax).

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1590, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 41, strike "Thirty percent (30%)" and insert "**Twenty percent (20%)**".

Page 2, line 42, strike "fund. Money transferred under".

Page 3, line 1, "this subdivision shall" and insert: "**fund to**".

Page 3, between lines 2 and 3, begin a new line block indented and insert:

**"(3) Ten percent (10%) of the money deposited shall be transferred to the county general fund to be used for projects recommended by the county executive."**

and when so amended that said bill do pass.

(Reference is to HB 1590 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 13, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1590 be amended to read as follows:

Page 2, line 31, delete ".".

Page 2, line 32, after "than" insert "**proposed by a political subdivision with jurisdiction in whole or in part outside**".

Page 2, line 32, reset in roman "a city described in subsection (b)(1).".

Page 3, line 2, delete ".".

Page 3, line 2, after "than" insert "**proposed by a political subdivision with jurisdiction in whole or in part outside**".

Page 3, line 2, reset in roman "a city".

Page 3, reset in roman line 3.

(Reference is to HB 1590 as printed February 1, 2001.)

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